

IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**AGREED ENTRY GRANTING LIMITED RELIEF ON STAY RELIEF MOTION TO
PERMIT REMOVAL AND TRANSFER OF THE TEXAS INTERPLEADER ACTION**

This matter came before the Court following pretrial conferences on January 12, 2011, and on February 11, 2011, concerning the Motion for Relief from the Automatic Stay [Docket Nos. 78, 129, 163, and 180] (“Motion”) and the responses and briefs filed thereto [Docket Nos. 149, 162, 172, 174, 179, 188, 190, 198] (“Responses”), and on the announcement by the signatory parties to this Agreed Entry (“Parties”) that agreement had been reached concerning the Motions to allow a partial lifting of the automatic stay on the terms provided by this Agreed Entry.

Upon the consideration of the Motion and the Responses, upon the record of the pretrial hearings held on January 12, 2011, and on February 11, 2011, and upon the agreement of the undersigned parties, the Parties agree that: (i) the Court has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334, (ii) the Motion involves a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) the relief provided by this Agreed Entry is in the best interests of the Debtor, its estate and its creditors; (iv) the signatory parties to this Agreed Entry have agreed to the relief provided herein, as shown by the signatures of their counsel of record; (v) proper and adequate notice of the relief granted by this Agreed Entry and the hearing thereon has been served and that no other or further notice is necessary; (vi) granting the relief requested on an emergency basis is necessary to preserve and maximize assets of the

estate and (vii) upon the record in this case and after due deliberation good and sufficient cause exists for the granting of the relief requested. Accordingly,

IT IS THEREFORE AGREED that:

The Parties agree and consent to the modification of the automatic stay to permit the Interpleader Plaintiffs (“Plaintiffs”), to seek removal of Case No. 2:10-cv-00266-J, styled *Friona Industries, L.P. vs. Eastern Livestock Co., Inc., et al*, in the United States District Court for the Northern District of Texas, Amarillo Division, including all claims, cross claims, third party claims, filed and that could be filed therein, and including all funds paid into the registry of the court as interpleader funds (the “Texas Interpleader Case”), to the United States Bankruptcy Court for the Northern District of Texas, Amarillo Division Texas, and thereafter seek transfer of the Texas Interpleader Case to this Court. The Parties to this Agreed Entry further agree not to contest or object to the removal and transfer of the Texas Interpleader Case as contemplated herein.

AGREED:

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